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16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA

18 A.L. a minor child, by and through her  
19 Guardian Ad Litem JOSEPH LAIN,

20 Plaintiffs,

21 v.

22 PLEASANTON UNIFIED SCHOOL  
23 DISTRICT, a local education agency;  
24 CONTRA COSTA COUNTY OFFICE OF  
25 EDUCATION, a local educational agency; and  
DOES 1 to 25,

Defendants.

Case No. 3:22-cv-03036-CRB

**JOINT STIPULATION TO EXTEND TIME FOR DEFENDANTS TO RESPOND TO SECOND AMENDED COMPLAINT AND JOINT REQUEST TO CONTINUE CASE MANAGEMENT CONFERENCE; [PROPOSED] ORDER**

Case Management Conference

Date: April 28, 2023

Time: 8:30 a.m.

Place: San Francisco Courthouse

Hon. Charles R. Breyer

1       The parties in the above-captioned matter, by and through their counsel of record, hereby  
 2 represent to the Court as follows:

3       On February 24, 2023, Plaintiffs A.L. and JOSEPH LAIN filed their Second Amended Complaint  
 4 in the United States District Court, Northern District of California in this matter. (Dckt. No. 49).

5       Defendants PLEASANTON UNIFIED SCHOOL DISTRICT and CONTRA COSTA COUNTY  
 6 OFFICE OF EDUCATION were served with Plaintiffs' Second Amended Complaint on February 24,  
 7 2023. Defendants' Response to the Second Amended Complaint was originally due on March 10, 2023  
 8 pursuant to Rule 15(a)(3).

9       On March 6, 2023, the Parties submitted a stipulation extending Defendants' time to respond to  
 10 Plaintiffs' Second Amended Complaint to April 19, 2023 as the parties worked towards addressing this  
 11 matter in Mediation scheduled for March 29, 2023. (Dckt. No. 50). On March 7, 2023, the Court granted  
 12 the Parties' Stipulation. (Dckt. No. 51).

13

14       A. STIPULATION TO EXTEND TIME FOR DEFENDANTS TO FILE A RESPONSE

15       On March 29, 2023, the Parties engaged in mediation. The parties did not reach a resolution at the  
 16 mediation, but have jointly agreed to participate in second day of mediation with the same mediator. The  
 17 Mediator's earliest availability is May 3, 2023.

18       In an effort to preserve judicial resources and work amicably towards mediating this matter,  
 19 Plaintiffs are agreeable to an extension for Defendants to file a responsive pleading to their Second  
 20 Amended Complaint to May 17, 2023, two weeks following mediation.

21       Therefore, the Parties hereby stipulate and agree that the time within which Defendants may file  
 22 and serve a response to the Second Amended Complaint shall be extended from the current response date  
 23 of April 19, 2023 to May 17, 2023, pursuant to Northern District of California Civil Local Rule 6-1(a).

24

25       B. JOINT REQUEST TO THE COURT TO CONTINUE THE CMC

26       The Parties also desire to utilize the time prior to the next mediation session to work towards  
 27 negotiations and respectfully request the Court continue the April 28, 2023 Case Management

1 Conference (CMC) to May 19, 2023. This extension will only alter the CMC date and its corresponding  
2 joint statement due date. Accordingly, the Parties also submit their CMC Statement in the event the Court  
3 does not grant their request to continue the Case Management Conference. As noted in their CMC  
4 statement, the parties will engage in developing a discovery plan after the second mediation session if  
5 this matter were not to resolve on or before mediation on May 3, 2023.

6 Therefore, the Parties hereby stipulate and agree that the April 28, 2023 CMC be continued to  
7 May 19, 2023, pursuant to Northern District of California Civil Local Rule 6-1(b).

8  
9 IT IS SO STIPULATED, REQUESTED, AND AGREED.

10 Dated: April 14, 2023

TOLLNER LAW OFFICES

11  
12 By: /s/ Nida Siddiqui  
13 Nida Siddiqui  
14 Attorneys for Plaintiffs  
15 A.L. and JOSEPH LAIN

16 Dated: April 14, 2023

DAVIS, BENGTSON & YOUNG APLC

17  
18 By: /s/ Mark E. Davis  
19 Mark E. Davis  
20 Attorneys for Defendant  
21 PLEASANTON UNIFIED SCHOOL DISTRICT

22 Dated: April 14, 2023

BERTRAND, FOX, ELLIOT, OSMAN & WENZEL

23  
24 By: /s/ Amy Leifur Halby  
25 Amy Leifur Halby  
26 Attorneys for Defendant  
27 CONTRA COSTA COUNTY OFFICE OF  
28 EDUCATION

## **ATTORNEY ATTESTATION**

I hereby attest that I have on file all holograph signatures for any signatures indicated by a conformed signature (“/s/”) within this E-filed document or have been authorized by counsel to show their signature on this stipulation as /s/.

Dated: April 14, 2023

By: /s/ Nida Siddiqui  
Nida Siddiqui

1                   **[PROPOSED] ORDER**

2                   Pursuant to the joint stipulation and for good cause shown, Defendants' response to Plaintiffs'

3 Second Amended Complaint in to the above-captioned action is due on or before May 17, 2023.

4                   Pursuant to the Parties' Joint Request and for good cause shown, the Case Management  
5                   September 22, 2023 at 8:30 a.m. A Joint Case Management Statement due by 9/15/2023.  
Conference is continued to May 19, 2023 at 8:30 am.

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7                   IT IS SO ORDERED.

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9                   DATED: April 17, 2023

10                  Signed: 

11                  Honorable Charles R. Breyer  
12                  UNITED STATES DISTRICT JUDGE

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